

COSLA: A SILENT VOICE  
FOR LOCAL GOVERNMENT?

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Prior to the 1974 reorganisation of local government there were four Scottish local authority associations. Now there is only one - The Convention of Scottish Local Authorities (COSLA). In the 1976 edition of this Yearbook, Robert Peggie, Chief Executive of Lothian Regional Council, praised this development. He claimed that COSLA was one of "the outstanding achievements" of the new system and "a credit to the judgement and good sense of regional and district councils throughout Scotland."<sup>(1)</sup>

The argument that it is best to have a single association, representing all local authorities, is not new. It is widely believed that one association, presenting a united front to central government, strengthens the position of local government.<sup>(2)</sup> But while the new Scottish councils had, (in Peggie's view), the "judgement" and "good sense" to establish a single association, their English and Welsh counterparts did not. They formed three separate associations.<sup>(3)</sup>

As a local authority association, COSLA's main aim is to represent the views of member authorities and to defend their interests. But since COSLA represents all Scottish local authorities some argue that its role in Scottish government could be expanded. In 1979, a few weeks after the devolution referendum, Professor Lewis Gunn of Strathclyde University suggested to COSLA's Annual Conference that it should adopt a wider role in pre-legislative decision-making and that it should become the basis for some kind of Scottish Convention. This idea is a reformulation of Lord Home's 1969 proposals for an indirectly elected Scottish Convention. The body which Professor Gunn proposed would have members from all Scotland's local authorities at its basis, but these councillors would be joined by members from "functional"

constituencies such as the S.T.U.C., the Scottish C.B.I., farmers, fishermen and colleges. This Convention would therefore "be a similar body to COSLA, but its remit would go beyond the field of local government (and it) would have an 'advisory, consultative and inquisitory' role debating matters of the moment and passing resolutions with some authority."<sup>(4)</sup>

Professor Gunn's suggestion captured the imagination of many COSLA members, but it is ill-conceived. On non-local government matters neither councillors nor associations are representative of a wider public. And even when they express views on local authority matters, the structure of local government, for example, these are more in keeping with sectional local government interests than with a more general "public interest."<sup>(5)</sup>

COSLA members may be taken by the idea of expanding their role, yet some doubt that the Convention is capable of performing its present duties as a local authority association. Like all associations, COSLA exists "to watch over, protect and promote the respective interests, rights powers and duties of its member authorities as these might be affected by legislation or proposed legislation ... "<sup>(6)</sup> One piece of legislation which will affect local authorities is the Tenants' Rights (Scotland) Act which forces local authorities to sell council houses to sitting tenants and gives tenants in the public rented sector certain rights. This legislation will seriously erode local authorities' control over their housing stock, yet COSLA played a very small part in the discussions of the Bill as it went through Parliament. COSLA's failure to comment on many of the clauses provoked criticism from Scottish M.P.s when the Bill was in committee. One of the Labour members, Martin O'Neill, claimed that "the evidence and support the Committee has received from COSLA has been absolutely feeble. It has sent us lists of observations that could have been written on the back of a postcard in 20 minutes."<sup>(7)</sup> This sentiment was echoed by Gordon Wilson of the SNP who said that he was "shocked by the absence of adequate representation from COSLA."<sup>(8)</sup>

The minor role COSLA played in discussion of this legislation was highlighted by the activities of other organisations. The three associations in England and Wales made many observations on the leg-

islation which affected them and, in the absence of comment from COSLA, their observations were sometimes introduced by members in the Scottish committee. Shelter was another organisation with which COSLA was unfavourably compared. COSLA did not send an observer to the committee meetings of the Bill, yet Shelter, with considerably fewer resources than COSLA, managed to have a representative in attendance.

By far the best example of COSLA's failure to speak on matters of crucial concern to its member authorities concerns the Stodart Committee of Inquiry. In 1979 this Committee was established to review the reorganised local government structure in Scotland and to make recommendations for (minor) reforms. It invited evidence from interested parties on whether the structure should be amended and, if so, how. In the face of internal disagreement between regional and district members, COSLA opted out of this debate and did not present any evidence. The only local government views to reach the Committee came from individual authorities.

But why has COSLA been so reticent on matters of obvious concern to Scottish local authorities? One reason is inadequate staffing and resources. In 1976 Robert Peggie argued that the full potential of COSLA would be realised only if constituent authorities recognised "the need to devote more effort and resources to the achievement of its accepted aims."<sup>(9)</sup> This has not been done. Tom Clarke, a former President of COSLA, once likened its organisation to a "penny-farthing machine in a jet-propelled age." In 1980-81 the Convention's annual budget is a mere £460,000. Its staff only number seventeen, and nine of these are typists. In the near future extra staff are to be employed but even then COSLA will not have the resources to parallel the work of the English bodies.

The lack of financial support given to COSLA by member authorities is not due to Scottish stinginess. When COSLA was formed some authorities had reservations about the viability of a single association. Instead of ploughing resources into an organisation which might prove difficult to run, authorities decided to 'ca' canny. In 1978, a constitutional crisis threatened the existence of COSLA and deferred the decision on finance. These troubles are past, but local government spending cuts now prevent a substantial rise in subscriptions

to COSLA being mooted.

In the Committee for the Tenants' Rights (Scotland) Bill, Robin Cook claimed: "it is traditional that when we have a rate support grant order debate, we receive the views of COSLA in the post the day after the debate, because COSLA has only one part-time member to carry out that kind of analysis."<sup>(10)</sup> But there is a further reason why COSLA's comments on government proposals are often late; frequently they are not given enough time to discuss and comment on proposals submitted by the Scottish Office. Privately many Scottish Office officials admit this is the case, but claim they are unable to give COSLA longer to deliberate because they are in a similar position. Many proposals for legislation affecting Scottish local government emanate from the Department of the Environment. By the time the Scottish Office has received them, there is not enough time to sound out COSLA.

So far resources and time have been cited as explanations for COSLA's weakness as a local authority association. But internal politics have sometimes proved a more important factor. Regional and district authorities frequently disagree on important local government issues. So too do political parties. But, in order to preserve unity, COSLA seeks to avoid conflict. As in the case of evidence to the Stodart Committee of Inquiry, silence is the easiest way to shelve the problems generated by disagreement.

In many respects COSLA is a boon to central government. It is convenient for the government to negotiate and consult with only one association. Secondly, if there is agreement within COSLA and it backs government policy, then this is an appreciable gain, as it may bolster the government in the face of opposition from other interest groups. On the other hand, issues which are likely to divide central and local government - spending cuts, finance, local government reform, mandatory provision of services, for example - are also likely to be divisive within COSLA. On these issues COSLA tends to protect its own fragile unity rather than to present a strong local government view to central government.

The role COSLA plays in decision-making in Scotland can only be understood with reference to its internal politics. This paper aims

to throw some light on them. The first two sections outline how Scotland's single association was formed and how it operates. The third section documents the constitutional crisis of 1978-79 which threatened the existence of COSLA and the fourth analyses the reasons for it. This leads, in the penultimate section, to a more detailed consideration of party political divisions within the Convention. The last section considers COSLA's future.

# I

The 1970's reorganisation of local government in Scotland was a more dramatic event than it was in England and Wales. Certainly functions were reallocated and boundaries redrawn in England, but these changes appear cosmetic in comparison with the radical surgery endured by Scottish local government. The Wheatley Report prescribed regionalisation to cure our ailing local authorities. Central government administered the remedy and, following the passage of the Local Government (Scotland) Act, almost none of the previous units of local government survived.

The four associations which had represented local authorities prior to 1974 were inevitable casualties of reform. The Association of County Councils, the District Councils Association, the Convention of Royal Burghs and the Counties of Cities Association were all too wedded to the old local government map to endure the change to the new system. In England and Wales, reform could accommodate a pattern of association only slightly different from what had existed before, but an ineluctable consequence of Scottish reorganisation was a new form of local government representation.

In the absence of a lobby to maintain the status quo, the prospect of a single association for Scotland was much better than it ever was in England and Wales; there political considerations and entrenched interests militated against a single association being formed.<sup>(11)</sup> The campaign for one Scottish association was also helped by the simplicity of the new local government system. Whereas there are seven types of authority in the reformed English and Welsh structure,<sup>(12)</sup> in Scotland there are only three: regional, district and island authorities. In comparison with England where complicated plans for a federation were mooted, the choice facing Scottish local authori-

ties was simple: did they want a single association or separate associations for districts and regions?<sup>(13)</sup>

The running for a single association was first made in 1969 for although the decision on associations would be taken by the new authorities, the Wheatley Report expressed a strong preference for one association. The Redcliffe Maud Report on England and Wales likewise argued for unity. There is nothing surprising about this: we need not rehearse the detailed arguments in favour of a single association to see that it makes financial sense to concentrate staff and resources in one organisation and political sense for local authorities to present a united front to central government. The Scottish Royal Commissioners were aware, however, that the logic of their argument, that the two tiers in the reorganised system must be their own masters and be able to act independently of one another, might be used to justify separate associations. But they maintained that as long as a single association allowed for separate panels for districts and regions - guaranteeing independence on certain matters - it would be best if differences or competition between these two tiers were resolved within one organisation.

The major objection to a single association concerned the weakness of district councils, for they are small fry compared with the regional authorities who administer most of the large services and spend most local government money. Opponents of a single association argued that within one organisation the interests of districts might be quashed by the politically and financially powerful regions. Some opponents also argued that a single association might be weak, since "if there are conflicting views from the regions and districts any attempt to compromise so as to present a united viewpoint might fail to do justice to either point of view."<sup>(14)</sup> Proponents of a single association rejoined that districts might benefit from a joint organisation with regions. Instead of district authorities being regarded by central government as the regional authorities' poor relation, they could be equal partners in a strong association. The Report of a Working Party of Officials set up to make recommendations on the future of the Scottish associations also argued that even if separate associations were formed this would not eliminate the likelihood of

squabbles between different kinds of authorities. Within a district association, say, there might be a split between urban and rural district councils and, in that case, it might be best if any shared interest between regions and districts within a geographical area was openly expressed and not suppressed because the two tiers were considering the matter separately. But the Report also argued that too much could be made of likely conflicts and, quoting Wheatley, pointed out that a single association made sense since "there will always be more common ground than disputed ground in local government."<sup>(15)</sup>

The Report of the Working Party came out strongly in favour of one association for Scotland. So too did the most influential of the existing associations - the County Councils Association. Only the Convention of Royal Burghs remained firmly opposed. But, since the decision lay with the new authorities, it was the opinion of the newly elected members which mattered. In July 1974 the Scottish Development Department convened a meeting of representatives of all the new authorities in Scotland so that such a decision could be made. The regional and island representatives were predominantly in favour of a single association. So too were a considerable number of district representatives. But a number of district members remained unconvinced. The meeting resolved to set up a working party of elected members and representatives of the old associations to report to a similar meeting on how the decision about the future should be reached and how, if a single association were agreed upon, authorities would be represented in it.<sup>(16)</sup>

The Working Party's Report, like its predecessor, was firmly committed to the principle of a single association. It argued that, with constitutional safeguards and adequate representation for smaller authorities, it could serve the interests of all authorities in Scotland. In October a further meeting of representatives was convened at which they were asked to vote in principle for a single association along the lines outlined in the Report. Cumbernauld District Council, one of the districts most opposed to a single association, had tried to organise a separate association for district councils but obtained little support. Only twelve of the fifty three districts voted against a single association. The nine regions and three all-purpose island

authorities voted in favour.<sup>(17)</sup> We may interpret this vote as a testimony to the overwhelming desire by Scottish local authorities to have one association to represent their interests.

## II

The inaugural meeting of the new association for Scotland - the Convention of Scottish Local Authorities, or COSLA as it is commonly called - was held in Glasgow in April 1975. Like its English counterparts, COSLA principally exists to protect and promote the interests, of its member authorities. It negotiates and consults with other national bodies, such as The Manpower Services Commission whose work affects local authorities. The most significant negotiations each year are with civil servants and Ministers on the amount of the grant from central government to local government for the next financial year. It also exists to provide information and other services for its members. For example it circulates information about nationally agreed salary and wage settlements affecting local government employees. It also makes recommendations to members about their per capita contribution to a host of voluntary and semi public bodies, such as The Royal Society for the Prevention of Cruelty to Children and The Scottish Arts Council. For such purposes, and for the efficient transaction of COSLA business, it employs a small secretariat in Edinburgh.

COSLA, like local authorities themselves, operates through executive committees. But unlike the new authorities, which have opened their meetings to the public, COSLA deliberates in private. There are four types of committee: joint, regional, district and island. Joint committees deal either with matters of common concern to all Scottish authorities - manpower and finance, for example - or with functions for which both regions and districts are responsible such as planning. Joint committees include members from regional, district and island councils. The most important joint committee, and indeed the most important of all COSLA committees, is the Convention Policy Committee.

The committees for regional and district affairs are of two main types: policy and functional. The policy committees meet infrequently and exist simply to allow general discussion among authorities of

one type without the possibly inhibiting presence of authorities of another type. However, most important decisions about local government services are taken in the functional committees such as housing, social work, and education. Only authorities with responsibility for the specific function are entitled to be represented (although the President and Vice President are ex officio members of all committees). Thus, for example, the education committee is a regional committee which includes representatives from the island authorities since they also provide education.

The representation of individual councils on committees is stipulated in the Constitution. For Regional Committees this is simple. In order to reflect the different population sizes of the regions there is a sliding scale of representation. Strathclyde, the largest region, now has seven representatives while small regions like Borders and Highland have one apiece. As there are many more districts than regions the formula for representation on district committees is more complicated. The largest districts have a guaranteed number of places. Glasgow District, for example, has three. But for all small districts with populations up to one hundred thousand there are only twenty places. Every four years there is a ballot to determine on which committees these small districts will be represented. Representation on joint committees is an amalgam of these two methods. That is to say, the regions and large districts have a stipulated number of representatives while the smaller districts ballot for places.

Individual councils are thus awarded a set number of places on COSLA committees. The choice of representative is their decision. For a few years after COSLA's inception some authorities appointed councillors to COSLA in proportion to the council's party strength. Now this is rarely done. As we shall see, local government and COSLA business have become more politicised and in order to influence COSLA's political complexion, councils appoint representatives from the majority party.

In addition to the committees there is the Convention meeting of about one hundred and fifty members which is convened approximately four times a year. It comprises representatives of all member authorities. The precise number of representatives per authority

varies according to population size but, in order to give worthwhile representation to smaller authorities, representation is weighted in their favour. Its most significant power is the election of the President and Vice-President - the figures who play an important part in the Convention Policy Committee and hence in local government dealings with central government. At the Annual Meeting the Convention is also empowered to make amendments to the constitution. Full Convention meetings are mainly devoted to receiving minutes from the executive committees. These minutes are principally for information and, only to a limited extent, debate for its power over the committees is confined to referring back an item for further consideration. This power can be used only if the matter has not already been acted upon and in no circumstance is any committee required to amend a decision which it has reached. Since the powers of Convention meetings are so limited, its deliberations are little more than a constitutional formality. Its size, of course, militates against it having policy-making powers, but since it could nevertheless ratify policy made in committees, as happens in the English and Welsh associations, it is not this which keeps it a toothless body. It is in fact the over-representation of smaller authorities and the co-existence of different tiers of authority which mean that all important decisions must be made in the committees.

The issues of representation for member authorities and separate panels for districts, regions and islands are problems for COSLA. Constitutionally the latter problem can be solved by having separate committees take decisions but this means that Convention meetings must be virtually powerless. Representation of member authorities poses a greater problem; how can adequate representation be given to authorities with large populations while ensuring that they do not dominate and, conversely, how can sufficient representation and opportunity for involvement be given to smaller authorities so that they feel a constituent part of the association? This difficulty was partly eased by the attitude of the larger authorities and their commitment to a single association. At the first meeting of the representatives of new authorities, Geoff Shaw, then Convener of Strathclyde Regional Council, stated that "the larger authorities ... (have) no intention

of dominating a united association."<sup>(18)</sup> Subsequently the architects of COSLA's constitution were able to under-represent the larger member authorities. For example, Strathclyde Region - with half of Scotland's population - was allocated five of the one hundred and forty-three representatives on the full Convention while a small district of only nine thousand was awarded one.

The large districts and regions were underrepresented at Convention meetings, but the significance of this was limited to long as these meetings had little executive power. However, aside from electing the leaders and thus determining the political complexion of COSLA's public face, the full Convention had an important latent power: at its Annual Meeting it could amend the constitution. Through this smaller authorities had the numerical strength to change the balance of power and dominate the association. This is precisely what happened in COSLA in 1978. The following account of the constitutional crisis which almost ripped COSLA apart, not only relates an interesting episode in Scottish political history, but also gives a glimpse into the divisions within Scottish local government.

### III

Towards the end of 1977 some rural authorities were becoming dissatisfied with their position in COSLA. They argued it was no longer serving the interests of the rural areas because it was too dominated by authorities in the industrial central belt - Strathclyde, Central, Fife and Lothian and the districts within them. With hindsight it is not difficult to understand why this conflict surfaced in 1977, for in that year rural areas lost money to urban authorities in the annual allocation of the Rate Support Grant. This shift in resources also occurred in England and Wales, but instead of seeing this urban bias as part of a political choice made by a Labour Government, rural authorities in Scotland claimed COSLA was partly to blame. They argued that they were becoming the Cinderella of local government because they were under-represented on the COSLA sub-committee which negotiated with the Secretary of State on local government finance. The Borders, for example, which spearheaded the campaign in COSLA for a better deal for rural authorities, had neither a district nor a regional representative on this vital committee.

The aggrieved rural authorities argued that urban domination of COSLA was not restricted to financial negotiations, for the authorities in the central belt had the lion's share of committee chairmanships. In 1977-78, of the six regional committee chairmanships, Strathclyde held three, Lothian held two and Fife held one. This meant that all six offices were filled by councillors from predominantly urban, Labour authorities. In district committees too all four chairmanships were won by councillors from district authorities in Strathclyde or Lothian regions. And in the joint committees Strathclyde had three of the four available offices. To add insult to injury this pattern of urban hegemony was replicated in the appointments COSLA annually made to other bodies. For those already sensitive to the pre-eminence of urban regions the fact that Strathclyde's staff provided public relations for the Convention was an additional cause for complaint.

But why were councillors from these authorities so powerful? This hegemony cannot be explained simply by numerical strength, for in relation to population they were under-represented and they did not form a coherent majority group. For example, Strathclyde Regional Council had only four places on the twenty eight strong Convention Policy Committee. To understand the dominant, although not necessarily domineering position of urban authorities like Strathclyde, we cannot rely on simple arithmetic and must consider other factors.

One such factor is geography. It is not surprising in a country like Scotland, where population and industry are concentrated in a relatively small part of the whole country, that members from urban areas can participate more easily in COSLA business than those from outlying rural areas. As most COSLA and related meetings are held in Edinburgh, the attendance record of rural members, particularly those from the Highlands and Islands, is understandably low. Because party political affiliation is substantially influenced by geography, urban areas being traditional Labour strongholds, the preponderance of urban activists in COSLA has also meant the pre-eminence of Labour members. But this brings us to consider the most important explanation for the dominance of urban authorities in the activities of the Convention: the operation of party politics. With a minimum amount of organisation, the Labour Party - the largest political group in COSLA-

was able to enhance its chances of obtaining office on the regional and joint committees. As the group system successfully concentrated the leadership of committees in the hands of members from urban Labour Scotland, pre-meetings of the Labour Group were a constant source of irritation to rural members. This irritation is understandable if we bear in mind that most were Independent councillors and so ostensibly hostile to organised party politics in local government.

Many of the rural members were angry about political caucuses in COSLA but they realised that their position could improve if they too held pre-meetings. This "if you can't beat them ..." argument was expressed in public by Kenneth Clark Chief Executive of the Borders Region: "Some of our councillors have calculated," he told the press, "that the representatives of the smaller authorities could outvote those from the central belt if we got ourselves organised. It is a pity it has come to that but it has."<sup>(19)</sup> The Borders Region and districts decided to convene a meeting of rural authorities in Perth in October 1977. Twenty-two authorities were represented - the regions and districts of: Borders, Dumfries and Galloway, Grampian and Tayside, but excluding Aberdeen and Dundee districts. A working party was formed and further meetings in Perth convened to discuss amendments to the constitution.

These meetings showed the extent of rural dissatisfaction and helped justify their complaints, but for the Independent authorities the success of such political caucuses created problems. As Peter Daniels points out: "... by meeting together as a group and forming 'group decisions' they were prejudicing their position as independents." Moreover, by involving Conservative members from rural areas in these meetings "they were leaving themselves open to the very charge that they were levelling against COSLA - that its proceedings were becoming politicised."<sup>(20)</sup> The participants in the Perth meetings - the "unholy alliance" of Conservatives and Independents, to borrow the sobriquet of COSLA's first President, Sir George Sharp - were soon denounced as little more than an anti-Labour group. There was nothing surprising about this tag since Independents in local government have commonly been seen by Labour as Tories in disguise. In this instance at least there was truth in the assertion that the

Independents were partisan. There is little doubt that some of the prime movers in the Perth meetings not only realised the strength of rural authorities if organised within COSLA, but also calculated that they could hold the balance of power more effectively if they aligned themselves with the Conservatives and deposed Labour from its dominant position.

This bid for power was most apparent at the 1978 Annual Meeting when the rural authorities supported Conservative candidates for President and Vice-President. But before this meeting the Perth contingent submitted a number of constitutional amendments to the Convention Policy Committee, most of which were designed to shift power away from the urban authorities. One of the amendments proposed that no authority have more than two representatives on any committee. In effect this meant that Strathclyde Regional Council's representation on all committees, already small in relation to population would be cut by half. Another amendment proposed to increase the power of the Convention meeting by allowing it to amend, reverse or refer back decisions taken by Convention committees. The effect of this amendment would be to shift power from Committees to the full Convention on which the smaller authorities had a majority. The Policy Committee refused to support either of these amendments. But the Perth contingent decided to submit them to the 1978 Annual Meeting - the body empowered to amend the constitution - without the backing of the Policy Committee.

Their decision to submit was vindicated by the result of the vote. By fifty-six votes to fifty-one the meeting supported the Borders amendment which gave no authority more than two representatives on any committee. The rural authorities were also successful in securing the election of Sir David Montgomery to the post of Vice-President: the Conservative Vice-Convenor of Tayside Region defeated Charles O'Halloran of Strathclyde Region. The rural authorities were however defeated on two counts. The amendment designed to shift power from committees to the full Convention was rejected. They also narrowly failed to secure the election of the candidate they had backed for President. By two votes, Labour's Tom Clarke, Provost of Monklands District and outgoing Vice-President, defeated the Conservative Provost of Bearsden & Milngavie District, Tom Young, the candidate whom

many of the rural authorities had decided to support.

It is now popularly believed in COSLA that many authorities had scarcely cast their vote in favour of the Borders amendment before they were rueing their decision. There are a number of explanations for such a rapid change of heart. First there is the fact that some of the rural Independent authorities began to realise that the Perth meetings and the Borders amendments had been more 'political' than they had thought. The political aspect became clear at the Annual Meeting since the leaders of the rural authorities who had met in Perth were backing Tom Young for the Presidency. As a Conservative Provost from a suburban district in Strathclyde, he was far from being representative of Independent rural authorities. This decision could no doubt be defended in terms of Realpolitik, but it nevertheless made plain that one indirect object of the Perth meetings was to depose Labour Party councillors from their controlling positions in COSLA. Second, many authorities voting for the constitutional changes did not think that they would win the vote. They saw their action as a form of protest and never pondered its likely effect. If they had, they would have realised that it jeopardised the existence of the Convention. Strathclyde Regional Council were so aggrieved at their cut in representation that they were threatening withdrawal from COSLA - an act which would have ended Scotland's single association.

Yet Strathclyde's threat could easily have been foreseen. After all was it likely that Strathclyde, which paid one third of the Convention's annual budget and contained one half of Scotland's population, would accept representation on executive committees equivalent to that of authorities approximately one-eighth its size? Irrespective of the importance of such additional representation, was it plausible to believe that Strathclyde would, with equanimity, accept the outcome of what appeared as a politically motivated attack? The break-up of COSLA was thus the most likely outcome of the success of the Borders amendment. The rural authorities who had voted for such a change in the constitution had felt genuinely aggrieved and irritated that a few authorities were calling the tune, but many considered the demise of a single association for Scotland too big a price to pay to have their grievances set right.

The rural authorities' support for the constitutional amendments was roundly criticised by Scottish politicians and political commentators. A Scotsman editorial criticised the amendments as being unfair to Strathclyde Region and claimed " ... the dispute which threatens the future of COSLA is a straight political confrontation and it is ironic that it should be cloaked in a non-political guise."<sup>(21)</sup> Sections of the Conservative Party - the Party to which the rural Independents had informally allied themselves within the Convention - also denounced the action. Councillor Leonard Turpie, Conservative Group Leader on Strathclyde Regional Council, criticised the action and called for an extraordinary meeting of COSLA to review the decision. Less predictably the Conservatives on Renfrew District Council also supported moves to reverse the amendments. It is easy to understand why external opinion should have been so hostile to the Borders amendment. Even a cursory glance at the original constitution shows the extent to which large authorities compromised on representation in order to get the Convention off the ground. The sight of smaller authorities, exploiting their numerical strength, and rounding on Strathclyde Region won them little more than opprobrium from people outside COSLA.

Since the source of urban power within the Convention was not directly related to representation the amendment to cut the representation of large authorities was a blunt instrument. Even the supporters of the Borders amendment began to realise this shortly after their success. Within weeks of the Annual Meeting there was pressure within COSLA to look at the implications of the constitutional amendments in order to stave off Strathclyde's threatened withdrawal. Some of the initiative for a review came from councils - districts in Grampian, for example - which had been participants in the Perth meetings. On a motion submitted by Strathclyde Regional Council, the Convention Policy Committee agreed to set up a constitution review subcommittee, comprising representatives of a district or a regional authority within each of the nine regions of Scotland. The precise remit of the subcommittee was to consider the representation of member authorities on the Convention and its committees, their financial contributions and their voting rights. Its first task was to



write to all authorities asking them to comment on the existing constitution.

In January 1979 the subcommittee issued a report of the comments received from authorities together with its own recommendations for constitutional change. Given the Borders amendment, the major issue was the representation of member authorities. A few authorities favoured maintaining the constitution as amended at the 1978 Annual Meeting. A slightly larger number desired the constitution to revert to its original form. Other authorities desired changes in representation on the full Convention which would boost Strathclyde Region's presence. No clear pattern emerged from these observations. The lack of detail, the diversity and the vagueness of the comments meant that the subcommittee could accede to Strathclyde Region's suggestions. In many cases the subcommittee followed, almost to the letter, constitutional changes proposed by Strathclyde. Accordingly, it recommended that Strathclyde Region's representation on joint committees should be more or less restored to what had existed prior to the 1978 Annual Meeting. Risking the creation of large, unwieldy committees, the joint committees were increased from twenty-eight to forty members and Strathclyde's share of the places was fixed at five (12½%). Compare this with the 14% awarded under the original constitution and the 7% allocated after the Borders amendment. Strathclyde was given increased representation on the full Convention - the body which was weighted in favour of the smaller authorities. The total number of representatives was increased from one hundred and forty-three to one hundred and fifty. Five of these places were given to Strathclyde Region thus bringing its total representation to ten.

The subcommittee, in line with most member authorities, did not think that COSLA should depart from the principle of "one man, one vote", since it preferred to give weight to population size through progressive representation. Finance was another subject which the subcommittee and constituent authorities thought should be left untouched. The system whereby COSLA's finance was derived 75% from regions and 25% from districts - with Strathclyde Regional Council contributing one third of the total - was continued.

Acting only on the comments received by Strathclyde, a number of

constitutional changes were proposed by the subcommittee. The first of these concerned the election of the President and Vice-President. Instead of these officers being elected annually with the possibility of re-election for a further year, it proposed that their term should be fixed for two years. Moreover, the subcommittee proposed that, instead of the gentleman's agreement already in operation, the constitution should stipulate that the presidency and vice-presidency rotate between regional and district members. Another proposed amendment was that district and regional members should not submit motions, move amendments or vote on matters not relevant to their type of authority. For example, regional members would not be permitted to vote on housing matters. The subcommittee further proposed that any amendments to the constitution, or the adoption of a new constitution should be passed only if districts and regions voted separately and if both tiers had a majority voting in favour. (22)

The report made a number of comments on and proposals for the spread of chairmanships and appointments to outside bodies between member authorities, since, as we have seen, this had been an issue raised by many rural authorities. The subcommittee argued that it was desirable that no authority should enjoy more than two chairmanships and wished "to place on record their view that when making appointments, committees of the Convention must make an effort to ensure that there is no undue concentration of office bearers within any one authority." (23) The subcommittee did not feel that they could do any more than remonstrate on the subject since committees must also be free to choose the individuals they wanted for chairmen. A similar exhortation was made about appointments to outside bodies. In this case, however, the report recommended that from time to time the list of these appointments should be submitted to the Convention Policy Committee so that they could gauge the balance. If this was unsatisfactory they would comment, but not over-rule.

In February 1979 the Policy Committee put the subcommittee's proposals to the full Convention for comments and voting. Although they were overwhelmingly accepted this could only be regarded as a dummy-run since constitutional amendments had to be passed by the Annual Meeting, not scheduled to meet until June. But a procedural

point raised by Ettrick and Lauderdale District Council prevented ratification. A few days before the Annual Meeting the Council announced that it proposed to challenge the legality of any constitutional amendments at the meeting. The constitution stipulated that member authorities be given twenty-one days notice of proposed amendments and this had not been done. At the Annual Meeting it was clear that no other authority supported Ettrick and Lauderdale's bid to prevent the new constitution being adopted. The Council were legally accurate, but many authorities argued that no council could complain that it had not been properly informed of amendments since these had been discussed and voted on at a full Convention meeting only a few months before. The Council pressed their objection, however, and the voting did not take place. This action forced COSLA yet again into a constitutional crisis. Dick Stewart, Labour Group leader on Strathclyde Region, intimated that members of his authority were unlikely to accept a further delay of a year, until the next Annual Meeting, to have their representation on committees restored, and so the chances were that Strathclyde Region would leave the Convention. At the last minute a compromise was reached: the 1980 Annual Meeting would be brought forward to January and the new constitution would be accepted then. In the short term this compromise benefitted Strathclyde Region but, as we shall see later, in the long term it blighted the political position of the whole Labour Group.

Ettrick and Lauderdale's successful attempt to prevent the Convention from ratifying the new constitution at the 1979 Annual Meeting makes little apparent sense since the February meeting had given overwhelming support for its adoption, and since any obstruction of what were clearly the expressed wishes of COSLA members could only win the district a dishonourable reputation. Yet their Provost, Andrew Tully, argues that the action was quite rational.<sup>(24)</sup> He claims that his authority was particularly concerned that in June 1979 COSLA members were insufficiently aware of the dangers inherent in the proposal that districts and regions vote separately on constitutional change. His authority believed this would give a few big regions the chance to veto any constitutional change. Delaying the ratification of the new constitution, Provost Tully claims, gave them

more time to lobby against this clause. Their lobby was successful. By seventy-two votes to fifty-two votes the January 1980 Annual Meeting voted to delete this provision from the new constitution. Attempts to delete the clause preventing districts and regions from moving motions or voting on matters for which their kind of authority had no responsibility were, however, unsuccessful and the new constitution was accepted, almost intact.

Thus ended the episode of constitutional conflict which had endangered the very existence of COSLA. For the time being, at least, Scottish local government could retain its single association.

#### IV

Those involved in the formation of COSLA must have been dismayed at the series of events which threatened to tear it apart. But they could hardly have been surprised. The architects of the original constitution never underestimated the problems facing a single association. They realised that its continued existence and success were entirely dependent on good-will. One major problem emanated from the structure of local government in Scotland. Since we have a two tier system with massive discrepancies in the size of authorities, it is difficult to devise a satisfactory formula for representation within the Convention. In England and Wales too there are disparities between authorities but these are not so great. There, for example, the largest county has twelve times the population of the smallest, whereas in Scotland the largest region has twenty-six times the population of the smallest. It is only when we compare different kinds of authority in England - counties and districts, for example - that enormous disparities emerge. But this is not so important to the associations in England and Wales since they represent different kinds of authority.

This leads us to consider one of the major problems facing COSLA. As a single association it represents the views of regional, district and island authorities. Yet there is conflict within Scottish local government between district and regional councils. This is partially due to tension over concurrent functions such as planning. But it is also due to the resentment many district councillors feel towards the regions. The intensity of such resentment varies as do the remedies

proposed. Many district councillors desire a transfer of some regional functions, such as social work, to the districts. Other councillors, mostly those representing the four city districts, argue that their area could sustain a single purpose authority. Some councillors especially Scottish Nationalist and Liberals desire the complete abolition of regional councils. This conflict has played some part in the COSLA crisis. If rural authorities were angry that in 1977-78 three of the four joint committee chairmanships went to members from authorities in the central belt, district authorities, even from these areas were annoyed that all four went to regional members. The Borders amendment of 1978 was successful because the rural authorities - many of which were districts - managed to exploit the resentment of some urban districts towards the regional councils.

The Association of Metropolitan Authorities (A.M.A.) is the only English and Welsh association to have a comparable problem. It represents five different kinds of authority: metropolitan counties such as Greater Manchester and Merseyside, metropolitan districts, such as Bradford and Liverpool, London boroughs, the Greater London Council and the Inner London Education Authority. Metropolitan counties and districts, however, have little in common - other than a metropolitan status - and this creates conflict within the association. This conflict partially arises because most of the metropolitan counties' expenditure is on services such as police, fire and highways over which they have minimum control. Their representation in the A.M.A. was severely reduced in 1975 because they do not have much responsibility for important local government functions such as education and social work. In the past year some of these authorities have become so dissatisfied with their treatment in the A.M.A. that they have threatened to join the Association of County Councils. But political factors, such as party balance, have acted as a temporary restraint. (25)

The conflict between different types of authorities in England and Wales over rights and responsibilities is, however, usually played out between the associations. The Labour Government's proposals for Organic Change in Local Government, mooted in 1978-79, provide us with an example. (26) These proposals suggested the transfer of functions like education from the county councils to some of the larger

district councils - a transfer which would have partly restored cities like Nottingham to their former position. Predictably the Association of County Councils (A.C.C.) opposed this proposal, since some of their member counties would have lost functions, while the Association of District Councils (A.D.C.) - instrumental in having such proposals put forward - was enthusiastic.

The cleavage between urban and rural, which at one point threatened the existence of COSLA, is likewise a constant source of conflict between the associations. The A.M.A. is by definition an association which represents urban authorities. This leaves the A.C.C. and the A.D.C. with a rural bias. The most important bone of contention between the urban and rural associations is the allocation of central government finance. After a switch of resources in 1977-78 in favour of the urban authorities, the annual conflict over the allocation of R.S.G. was particularly evident in 1979. The A.M.A. produced a pamphlet entitled Supporting the Cities, arguing the case for more finance for urban areas, while the A.C.C. published Rural Deprivation which argued an antithetical case. (27)

Such a collision of interests between the A.C.C. and the A.M.A. occurred despite the fact that both were Tory controlled and so in a strong position to evolve a common view. The extent of the hostility between urban and rural authorities on the allocation of R.S.G. is so important that it cuts across party political ties. In 1979 Tag Taylor, then Conservative President of the A.M.A., graphically illustrated the point. After commenting that his hopes for consensus between the three Tory controlled associations had been "misplaced" he added: "The attitude of the shires is so different from the urban Tories that I sometimes wonder who my friends are." (28) Indeed, given the intensity of the conflict, an interesting question about COSLA's history is not why there has been tension between urban and rural authorities, but how these authorities have managed to co-exist at all.

As we have seen, in England and Wales the conflict between urban and rural authorities, like the present conflict between central and local government, is such that it over-rides party affiliation. But this is not to say that party politics is unimportant in the

English associations. Each of the three has an identifiable party bias. The A.C.C. and the A.D.C. have considerable Conservative majorities, while the A.M.A. is usually under Labour control. Only an exceptionally bad bout of election results for Labour in 1977 and 1978 lost the Party its control of the A.M.A. Usually the battles between the A.M.A. and the other associations have a distinct party flavour. In COSLA too the urban-rural conflict has an important party political dimension. The urban areas, including of course the big two regions - Strathclyde and Lothian - are Labour controlled, while the rural authorities are predominantly Independent or Conservative. As we have seen, the alliance of Independents and Conservatives had a rural dimension but was also based on a hostility to the Labour Group.

So far, then, we have identified three main divisions within COSLA, all of which contributed to the 1978 crisis: urban-rural, region-district and party political. It is because divisions were related that there was a strong impetus for change. A rural Conservative district, for example, had three separate, yet reinforcing, reasons for wishing the clipping of Strathclyde's wings. But not all councils of this profile acted in this way. Social scientists may isolate those variables which influence people's behaviour but can never predict how they will behave. In our case the three divisions were undoubtedly factors which motivated some councillors to organise against the industrial regions. But in other instances these divisions were not enough. For some authorities, apparently susceptible to anti-Strathclyde feeling, it was loyalty to the West of Scotland which prevented them from supporting the initiatives of the Perth faction.

So far we have discussed party politics in COSLA only as one element in its trifarious cleavages. But this is a subject worth studying in its own right. It is only if we understand the development of party politics in the Convention that we can understand its ethos and its role in local government politics. Let us start by looking at party politics in COSLA up to the 1980 district council elections.

The prevailing ethos in COSLA until 1980 emanated from Independent politics and, in terms of British local government in the 1970s, marked out the Convention as a somewhat apolitical organisation. Its

lack of politicisation becomes most clear if we begin by outlining the acutely partisan and consciously political nature of the English and Welsh associations. Such partisanship is expressed in the existence of the three associations. During the negotiations for a single association it became clear that a major stumbling block was the attitude of the predecessor to the A.M.A. - the Association of Metropolitan Corporations. The urban Labour authorities, who were in the majority in the A.M.C., calculated that their political interests were best served by maintaining a separate association for metropolitan authorities as this would usually be controlled by Labour.<sup>(29)</sup> A single association, on the other hand, was most likely to be controlled by Tory dominated county and district councils.

As we have already seen, each of the three associations is clearly identified with a political party - the A.C.C. and the A.D.C. being staunchly Conservative and the A.M.A. usually being Labour. Since the A.M.A. is the only association which does not have an entrenched majority group, it is the most politically organised of the associations and, provides the most effective comparison for COSLA. A prime example of the A.M.A.'s partisan nature arose in 1978 when the Conservatives first won a majority of representatives on the Association: the Labour leaders resigned from all their posts since they were now the minority party and no longer had a mandate to lead. These resignations occurred despite the fact that the Labour leaders had been elected until the following A.G.M. Subsequently the beginning of the Association's year was moved forward to July so that changes in the political balance caused by council elections could be reflected in the new association. In return for the Labour resignations, a number of alterations were made in the Association's affairs. For example, proportional representation of parties on sub-committees and appointments to other bodies was introduced, including the important Consultative Council for Local Government Finance and the pay negotiation bodies. Moreover, to obviate the need for party leaders to secure a place on the Policy Committee through "conventional channels", the constitution was amended to guarantee the majority and minority party leaders a seat ex officio. The proceedings of the A.M.A. are also clearly partisan. General meetings of the Association are used for

ritualistic confrontations between the two major parties. In November 1979, for example, the Labour Group leader Councillor Jack Smart, tabled an 'opposition' motion deploring the terms of the Conservative Government's R.S.G. settlement. The motion was lost but only on the casting vote of the Conservative Chairman, Tag Taylor. The vote reflected the small Conservative majority on the A.M.A.

If we compare this highly partisan association with COSLA we see how non-party political COSLA's proceedings are. Like the A.M.A. but unlike the A.C.C. or A.D.C., COSLA does not have a guaranteed majority for any one party. In the 1977-80 period the Labour Party marginally constituted the biggest single group, leaving the Independents holding the balance of power. And this controlling group opposed COSLA being identified with any political party. This can be seen in the choice of Presidents both in the 1977-80 period and before, when Labour had a majority but was not organised.

The first President of the Association was Sir George Sharp, who had previously been a Chairman of the Scottish A.C.C., and who, although a Labour councillor, was not seen as a strongly partisan figure. He was elected in preference to two other Labour candidates: Geoff Shaw, Convener of Strathclyde Region and Peter Wilson, Convener of Lothian Region - both of whom were clearly associated with the Labour Party. Sharp was also elected in preference to a Conservative candidate: Sandy Mutch from Grampian Region. Sharp was succeeded by Provost Tom Clarke from Monklands District Council who, although more strongly identified with the Labour Party, was nevertheless seen as a relatively neutral figure who had pledged himself to maintaining the unity of the Convention. The current President, William Fitzgerald is a Conservative from Tayside Regional Council. Of the three he is probably most keen to play an apolitical role along the lines of a provost or neutral head of state. As a former Provost of Dundee he is used to minority politics and has committed himself to a non-partisan stance.<sup>(30)</sup>

In comparison with the A.M.A., COSLA's constitution disregards party politics. Take, for example, the election of the President and Vice-President. In all three English and Welsh associations they are elected annually and are thus sensitive to changes in party political

balance. In the case of the A.M.A. the annual meeting is timed to correspond with changes in political strength. In COSLA, on the other hand, these office-bearers are now elected for two years. Thus since May 1980 we have had a Labour majority on the Convention but a Conservative leadership. COSLA's ethos was established at a time when the political groups were not well organised and when the Independents were important and so leaders without majority support, are not required to resign. The meetings of the full Convention also display the extent to which party politics are suppressed within COSLA. In England and Wales equivalent meetings are used as a forum for debating party political points but in COSLA virtually no discussion of important issues occurs at the Convention meetings. All significant debate takes place in committee meetings where, it is argued, privacy keeps party political point scoring to a minimum.

In a sense, then, we can see that the COSLA of the 1970s was an 'underpoliticised' organisation: underpoliticised in that its ethos ran counter to developments within local government.<sup>(31)</sup> Since reorganisation local government has become increasingly 'nationalised': more councillors have been elected on party tickets and issues have become more influenced by the national parties.<sup>(32)</sup> Yet the Independents who remain, and who are likely to do so for the foreseeable future, still cling to the idea of a non-partisan association which suppresses overt political conflict and identification.

Party politics may be suppressed within the Convention but this is not to say that political groups are unorganised. Labour members were the first to organise themselves: the Labour Group was established in February 1976, eight months after the Convention had been formed. The lack of a formal Labour Group at the inaugural meeting is witnessed by the fact that three Labour candidates stood for the Presidency (although even after the Group had formed there were occasions when more than one Labour candidate stood for committee chairmanships). Ostensibly the Group exists to discuss COSLA agenda items, tactics and nominations for offices, but many Labour members think it is a rather ineffectual organisation. There is little back-up from the Labour party itself. In England and Wales the associations' Labour Groups are serviced and advised by the Local Government De-

partment at Head Office.<sup>(33)</sup> But in Scotland the Scottish Council, the Labour Party - the Regional Office to which COSLA Labour members should turn - has taken little interest and provides no clerical support. Moreover, unlike England and Wales where the Labour leaders in the three associations are co-opted on to the National Executive Committee's Regional and Local Government sub-committees, the COSLA Labour Group Leader does not by right have a seat on the Local Government sub-committee of the Scottish Council of the Labour Party. An additional problem faced by the Labour Group is time. Group meetings are held prior to committee or Convention meetings, but since many of the members have to travel some distance there is usually little time for discussion and attendance for the entire meeting is low.

Factors of time and geography are continually cited as barriers to proper participation in COSLA politics. The Conservative Group finds that poor attendance at meetings is a problem and meetings before committees frequently do not happen. But there is more contact between the Conservative Group, formed in 1977, and the Party than in the case with the Labour Group. The Conservative Group Leader has by right a seat on the Party's Scottish Local Government Committee and the Group as a whole benefits from the backing of its wealthy party. Central Office circulates all members with notices of meetings and this secretarial back-up is a boon to the Group. For example, in choosing a candidate for the 1980 Presidency they found it easy to hold a postal ballot of all their members to decide their nominee. Some argue that the Conservatives are much better organised and that this is attributable to the fact that for Central Office and councillors alike, local government politics is a novelty and that, in the first flush of enthusiasm, they have given more time to their Group's organisation and tactics.

The Liberal Party and the SNP also have councillors active in COSLA. In both cases they do not operate a proper group system but there are strong ties between the councillors and their parties. All SNP district councillors meet together with Party officials in an Association of District Councillors and in this forum discuss items relevant to COSLA. It is only if special agenda items arise,

which they have not had time to discuss, that they have a pre-meeting. Since they are few in number they always decide individually how they will vote in committees. Liberal councillors similarly meet regularly with Party members and officials. In their case the forum is a bi-annual conference in which COSLA matters may arise, but members consider discussion there relevant only to specific policy problems and do not view it as political caucusing or binding individuals to a party line.

From this brief run-down of the operation of political parties in the Convention we can see that, paradoxically, it was the Independents who were best organised in 1977-78. While the two major parties found it difficult to hold pre-meetings, the Independents, with the enthusiasm of converts, held a series of meetings in Perth to discuss tactics. There is no question that in the short term the Independents' organisation paid off, and some of them believe that through their organisation they defeated the Labour Party at its own game. However, the rural authorities did not simply manage to 'dish' the Labour Group through dint of good organisation for, as we shall see, the tactics of the Labour Group also contributed to their defeat.

The Labour Group, particularly Strathclyde Regional Council members, have sustained a series of defeats within COSLA. For example, Sir George Sharp, who was elected predominantly on anti-Labour votes, beat Strathclyde Region's Geoff Shaw for the first COSLA Presidency. In June 1978 central belt authorities were outmanoeuvred by the smaller districts and Strathclyde Region's representation was cut. At the same meeting Charles O'Halloran of Strathclyde Region was defeated for the Vice-Presidency by Sir David Montgomery, a Conservative backed by many rural authorities. At the 1980 Annual Meeting Charles O'Halloran was yet again defeated by the Conservative candidate. John Sewell from Aberdeen District Council, Labour's Vice-Presidential candidate was also defeated.

The simple explanation for such defeats is that Labour was in the minority in the Convention during this period. However, a number of these defeats can be better explained in terms of political judgement and tactics. Take the 1978 Annual Meeting when the Borders amend-

ment was passed. The Convention Policy Committee under a Labour chairman had discussed all the Borders amendments and rejected them. When they were moved at the Annual Meeting the Policy Committee formally stated its opposition. A number of speakers from the floor put the case in favour of the amendments but, in line with the Labour Group's decision, no-one argued the case against. This was interpreted by some COSLA members as a further example of the arrogance of the urban Labour members who disregarded rural authorities and believed that they did not have to defend their position. It is possible that, on such a narrow vote - fifty-six votes to fifty-one - the Labour Group's decision gained the Borders the extra support necessary to win.

A further example of poor Labour tactics occurred at the 1979 Annual Meeting when the new constitution could not be adopted because of Ettrick and Lauderdale's objection. Conservatives in COSLA suggested to Strathclyde Region that a compromise, which they would accept, was to bring forward the date of the 1980 Annual Meeting to January. Strathclyde Regional Council members convinced the Labour Group that their council might not stay in COSLA if they had to wait a further year to have their representation restored.<sup>(35)</sup> The Conservatives' compromise was, therefore, accepted by the Labour Group and finally endorsed by the Convention. But in accepting this Labour Group members were creating problems for themselves over the election of the next President and Vice-President. If the Annual Meeting had been held in June 1980, as originally planned, Labour would then have the benefits of increased representation due to likely gains in the May 1980 district elections. In January 1980 Labour was in a minority on the Convention and could not secure the election of their candidates at the Annual Meeting, but by June 1980, thanks to the district elections, Labour could have commanded a majority of votes.

Several COSLA Labour members now argue that it was unlikely that Strathclyde Region would have withdrawn from the Convention after tempers had cooled and they had been able to appraise the position. But, with this threat hanging over them and in the heat of the moment, the Labour Group backed a decision which had adverse political consequences for them: a decision which privately amuses many Conservatives and Independents. Thereafter Labour did not help to counteract the

effect of their decision by lobbying strongly on behalf of O'Halloran or Sewell. Compare this with the Tories' tactics as they actually wrote to all non-Labour members introducing their candidates and asking for support.<sup>(36)</sup>

But how can we explain the actions of the Labour Group in COSLA? One possible explanation is that some of the key members of the Labour Group come from regional councils with large Labour majorities. On Strathclyde Regional Council, for example, Labour has almost three times as many seats as the Conservatives, the second largest party. This means that many influential Labour Group members are unused to lobbying for support on the Council for their decisions. Strathclyde councillors have accepted small representation on COSLA when, of all authorities, they could have decided to forge out on their own. But like some other Labour authorities they have not adapted to the fact that COSLA cannot easily accommodate overt party politics and that persuasion is needed if their proposals are to be passed. It is ironic that in 1977-78 the Independents and Conservatives - the new boys to local government caucusing - outmanoeuvred the apparatchiks of the Labour Party.

## V

From a study of COSLA's short history it is clear that the lack of a coherently organised, majority party has made a great impact on the Convention's affairs. The massive electoral defeat sustained by the Labour Party in the 1977 district council elections placed the Independents, in coalition with the Conservatives, in the ascendant position. The 1980 district elections changed all that and now the future of COSLA politics is uncertain.<sup>(37)</sup> We cannot look back at the 1975-77 period, when Labour also had a majority, for clues about what might happen now, since the Labour Group was then at an embryonic stage and since the climate of local government politics has changed. But one thing is certain: Conservative leadership of a Convention with a Labour majority is bound to create tensions. The Conservative President and Vice-President have been elected until June 1982, but since Labour have a majority on the Convention and all important committees, including the Convention Policy Committee, they must be tempted to force the leaders to resign. Yet challenging the Conservative leadership in COSLA may be tantamount to challenging the rural

authorities who have little sympathy for the Labour dominated industrial areas. Thus any Labour Party attempt to oust the leadership might reawaken the conflicts of 1978-79.

In normal times it would seem implausible that Labour would try to recapture the leadership of the Convention, since most important decisions are taken in committees. However, in the present climate of confrontation between the Conservative Government and local authorities, it would be significant if Labour had formal control over COSLA. The President and Vice-President are spokesmen for COSLA, and so if they fail to speak the Convention's political voice is not heard. This is exactly what is happening now. Fitzgerald has promised to articulate the views of the Convention even if these are not his own. As the Convener of Tayside Regional Council he has complied with the Government and has cut back on spending, but as President of COSLA he has criticised the Government's public spending cuts.<sup>(39)</sup> But the issue for Labour will not be whether the leadership occasionally argue a political line acceptable to the majority of COSLA members, for the decisive question is whether Fitzgerald, temperamentally or politically, will be prepared to use his office to argue strongly against the Government. Many doubt he will. Thus no matter how much Labour authorities argue their individual case against cuts or changes in local government finance, the Conservative leadership of COSLA stands in the way of Labour councillors for COSLA is the best forum for them to state a strong public case against the Secretary of State's proposals.

The significance of a party political clash within COSLA may be offset, however, by the resurgence of other rivalries. Most notable in the year ahead will be the Stodart Committee's proposals for the reform of local government. COSLA has declined to give evidence to the Committee of Inquiry, but it is unlikely that it will be able to keep its distance and not get involved in comment on the proposals. This will create tensions within the Convention and the joint committees and within the political groups. Indeed although each party has an official position on local government reform, not all councillors accept the party line. It is likely that political groups in COSLA will be as racked by dissension as the Convention itself.

But what of the future of COSLA's wider political role? A common

criticism of local authority associations is that they are merely reactive bodies who offer advice and comments on draft legislation and government policies but who do not take a creative part in decision making.<sup>(40)</sup> In the 1970s many people thought that local government reform and the establishment of a single Scottish association might change this.<sup>(41)</sup> COSLA's secretary, Graham Speirs, for example, argued: "If MPs can draft private member's bills and present them to Parliament, then the Convention with its knowledge of local government should be prepared to draft legislation and present it to the Scottish Office."<sup>(42)</sup> But this has not happened and COSLA still plays a reactive, defensive role. There is little chance that this will change since it is inadequately staffed and financed and this alone prevents the Convention from taking initiatives.

From a local government perspective, COSLA can only be seen as an improvement on the disunited English and Welsh associations, if it has bettered or successfully defended the position of local authorities. In this paper, we have not been able to evaluate this. Firstly such an evaluation could only arise from a major piece of research which monitored COSLA's influence on the governments' activities. Since COSLA committees meet in private and since decision-making in British government is notoriously secretive the necessary material might prove difficult to obtain. Secondly, the significance of COSLA's influence on the Scottish Office could only be assessed by comparing it with the influence of the three English and Welsh associations on government. In other words, we could have to decide if COSLA's influence is simply due to its role as a local authority association or if it is particularly strong by value of its unique role in Scottish local government.

Definitive conclusions cannot be drawn from the material presented in this paper. But it has been possible to do two things: first to give some examples of COSLA's weakness as a local authority association and second, from a study of COSLA's constitution and history, to analyse why we may expect such weakness. Ironically the difficulties which COSLA faces emanate from its alleged virtue. Because it is a single association it must reconcile the views of competing authorities. At one point these antagonisms jeopardised COSLA's exist-



ence. The constitutional crisis itself weakened the organisation since it made COSLA's future uncertain and diverted energy from COSLA's other business. Further tensions have been generated by the failure to acknowledge the importance of party politics in local government. At a time when central government is seeking to erode further the financial autonomy of local authorities, COSLA is enfeebled by a leadership which does not command the support of a majority of COSLA members.

In England and Wales there are three associations for local authorities. Undoubtedly this weakens the voice of local government and leads to open competition between different tiers. But, as we have seen, to unite these competing interests within the organisation does not put an end to the conflicts.

There is no reason to believe that Scottish local authorities have a better base from which to bargain or fight with central government than their English and Welsh counterparts.

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8. Ibid., col. 1656.
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11. See Isaac-Henry, pp.23-24 and p. 24 in this article.
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31. For a discussion on how political parties have intervened more in Scottish local government since reform see John Bochel and David Denver, "The District Council Elections of May 1977" Scottish Government Yearbook 1978, Edinburgh 1977.
32. See John Gyford, Local Politics in Britain, London 1976.
33. For an outline of English-Welsh Labour councillors' links with the national Party, see John Gyford and Mari James "Labour and Local Government: the N.E.C. Sub-Committee", Working Paper No. 2, University College London, December 1979.
34. For an outline of English and Welsh Conservative councillors' links with the national Party see John Gyford and Mari James, "The Conservative Party and Local Government: the National Advisory Committee", Working Paper No.3, University College London, February 1980.
35. The pressure was also on the Convention to resolve the problem of Strathclyde Region's representation since the Region, who pay one third of the total COSLA budget, were withholding their full contribution until the dispute was resolved.
36. Some COSLA members argue that the choice of O'Halloran as Labour candidate was itself a misjudgement for, as a very partisan figure from Strathclyde Region, he was unlikely to get support from many non-Labour members. It is not clear, however, that this was the case. O'Halloran is a very able local government councillor, whose abilities are well appreciated by COSLA members. Moreover, since O'Halloran did better than John Sewell, the Labour Vice-Presidential candidate, it seems that he actually gained votes, from members from rural areas in the west of Scotland, because he is from Strathclyde Region.
37. For an analysis of the district council election results see Bochel and Denver in this volume.
38. See note 26 above.
39. See The Scotsman 28th March 1980.
40. See, for example, Isaac-Henry.
41. See, for example, an interview with George Foulkes, The Scottish

Educational Journal, Vol. 59, No.5, 6th February 1976, pp. 12-13.

42. The Scotsman, 31st March 1977.